

STATE HEALTH COUNCIL

February 22, 2017

A meeting of the State Health Council was called to order by Chairman Wade Peterson at 9:00 a.m. on Wednesday, February 22, 2017 in Conference Room 212 of the Judicial Wing, State Capitol, Bismarck, ND.

Members present:

Wade Peterson, Mandan, Chairman
Genny Dienstmann, Bismarck, Vice Chairman
Leona Koch, Raleigh, Secretary
Mike Holmes, Grand Forks
Jerry Jurena, Bismarck
Gordon Myerchin, Grand Forks *(by phone)*
Jennifer Schaeffer, Medora
Dennis Wolf, Dickinson *(by phone)*

Members absent:

Greg Allen, Jamestown
Howard Anderson, Turtle Lake
Duane Pool, Bismarck

Staff members present:

Mylynn Tufte, State Health Officer
Arvy Smith, Deputy State Health Officer
Darleen Bartz, Health Resources Section
Fran Morrell, Internal Auditor
Londa Rodahl, Recording Secretary
Bobbie Will, Primary Care Office

Others present: See ATTACHMENT A

Minutes

JERRY JURENA MOVED THE APPROVAL OF THE NOVEMBER 16, 2016 MINUTES AS DISTRIBUTED. SECOND BY JENNIFER SCHAEFFER AND CARRIED.

NDAC 33-07-01.1, Outpatient Birth Services

Bridget Weidner presented the proposed amendments regarding outpatient birth services in hospitals. Two people attended the public hearing; however, no comments were received. She requested the Council's final adoption of these amendments, contingent upon approval of the Attorney General.

JERRY JURENA MOVED THE ADOPTION OF PROPOSED AMENDMENTS TO NDAC 33-07-01.1 CONCERNING OUTPATIENT BIRTH SERVICES, CONTINGENT UPON APPROVAL OF THE ATTORNEY GENERAL. SECOND BY LEONA KOCH.

The Chair requested a roll call vote and the MOTION CARRIED. Dienstmann, Holmes, Jurena, Koch, Myerchin, Peterson, Schaeffer, and Wolf voted 'aye'. There were no 'nay' votes. Allen, Anderson and Pool—absent.

Veterinarian Loan Repayment Applications

Dr. Sara McReynolds presented the seven veterinarian loan repayment applications reviewed by the State Board of Animal Health. Their scoring system ranked the applicants and they recommended three to the Council.

JERRY JURENA MOVED THE APPROVAL OF BLAKE AITON, DVM (New Salem); COLIN BELL, DVM (Glen Ullin); AND ANDREA RUSCH, DVM (Mandan) FOR THE VETERINARIAN LOAN REPAYMENT PROGRAM. THEY WILL EACH RECEIVE \$80,000 FOR FOUR YEARS OF SERVICE. SECOND BY GENNY DIENSTMANN.

The Chair requested a roll call vote and the MOTION CARRIED. Dienstmann, Holmes, Jurena, Koch, Myerchin, Peterson, Schaeffer, and Wolf voted 'aye'. There were no 'nay' votes. Allen, Anderson and Pool—absent.

Legislation and Budget

Arvy Smith reviewed ATTACHMENT B.

Federal State Loan Repayment Program (SLRP) Application

Bobbie Will presented the federal SLRP application for Courtney Feil, who is family nurse practitioner and sole midlevel provider at the Wishek Hospital Clinic Association's rural health clinic in Napoleon, ND. She is requesting \$25,000 state/community match and \$25,000 federal match for two years.

JERRY JURENA MOVED THE APPROVAL OF THE FEDERAL STATE LOAN REPAYMENT PROGRAM APPLICATION FOR COURTNEY FEIL. SECOND BY GENNY DIENSTMANN AND CARRIED.

The Chair requested a roll call vote and the MOTION CARRIED. Dienstmann, Holmes, Jurena, Koch, Myerchin, Peterson, Schaeffer, and Wolf voted 'aye'. There were no 'nay' votes. Allen, Anderson and Pool—absent.

Primary Care Office Update

Bobbie Will reported the application deadline of March 15th for the other loan repayment programs. She has already received: 4 physicians, 2 midlevels, 4 behavioral health professionals, and 1 dentist. These applications will be presented at the May Health Council meeting.

2016 Risk Assessment Report

Fran Morrell, internal auditor, presented the 2016 Risk Assessment Report for the Department, which has been approved by the State Health Council Audit Committee. She requested the Council's approval of this report.

JENNIFER SCHAEFFER MOVED THE APPROVAL OF THE 2016 RISK ASSESSMENT REPORT. SECOND BY JERRY JURENA.

The Chair requested a roll call vote and the MOTION CARRIED. Dienstmann, Holmes, Jurena, Myerchin, Peterson, Schaeffer, and Wolf voted 'aye'. There were no 'nay' votes. Allen, Anderson, Koch and Pool—absent.

Section Update

Darleen Bartz provided an update of the Health Resources Section.

The meeting adjourned at 11:25 a.m.

Submitted,


Leona Koch, Secretary



North Dakota Department of Health
SFN 8104

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**North Dakota Department of Health
Budget Request Summary
2017 - 2019 Executive Recommendation**

| Description | FTE | 2013-15 Biennium Expenditures | 2015-17 Biennium Appropriation | 2017-19 Budget Request | 2017-19 Revised Executive Budget | 2017-19 Senate Changes | 2017-19 Senate Budget | Difference Senate Budget From 2015-17 | Percentage Change from 2015 - 17 to Senate Budget |
|---|--------|-------------------------------------|--------------------------------------|------------------------------|---|------------------------------|-----------------------------|---|---|
| Administrative Support | 39.10 | 15,149,147 | 16,215,538 | 15,769,957 | 18,825,968 | (1,938,381) | 16,887,587 | 672,049 | 4.1% |
| Medical Services | 31.50 | 16,895,869 | 19,416,394 | 17,307,461 | 17,357,877 | 55,474 | 17,413,351 | (2,003,043) | (10.3%) |
| Health Resources | 63.50 | 8,796,504 | 10,730,721 | 10,489,776 | 16,776,158 | 95,956 | 16,872,114 | 6,141,393 | 57.2% |
| Community Health | 55.65 | 54,734,709 | 69,832,247 | 67,509,717 | 67,485,556 | 6,536,768 | 74,022,324 | 4,190,077 | 6.0% |
| Environmental Health | 172.25 | 44,238,999 | 54,041,208 | 53,550,867 | 53,650,101 | 259,001 | 53,909,102 | (132,106) | (0.2%) |
| Emergency Preparedness & Response | 15.00 | 21,696,812 | 26,072,691 | 22,371,470 | 21,839,629 | 32,985 | 21,872,614 | (4,200,077) | (16.1%) |
| Total By Section | 377.00 | 161,512,040 | 196,308,799 | 186,999,248 | 195,935,289 | 5,041,803 | 200,977,092 | 4,668,293 | 2.4% |
| Salaries and Wages | | 52,501,208 | 62,997,066 | 63,480,520 | 63,854,656 | 561,451 | 64,416,107 | 1,419,041 | 2.3% |
| Operating Expenses | | 34,109,269 | 44,266,688 | 38,494,458 | 38,394,458 | 0 | 38,394,458 | (5,872,230) | (13.3%) |
| Capital Assets | | 2,047,181 | 3,719,232 | 3,446,740 | 3,446,740 | 0 | 3,446,740 | (272,492) | (7.3%) |
| Capital Assets Carryover (Food & Lodging IMS) | | 0 | 253,876 | 0 | 0 | 0 | 0 | (253,876) | (100.0%) |
| Grants | | 49,197,269 | 57,961,760 | 55,697,490 | 58,135,670 | (2,000,000) | 56,135,670 | (1,826,090) | (3.2%) |
| Tobacco Prevention & Control | | 5,520,815 | 6,910,177 | 5,680,040 | 5,686,881 | 6,460,860 | 12,147,741 | 5,237,564 | 75.8% |
| WIC Food Payments | | 18,005,616 | 20,200,000 | 20,200,000 | 20,200,000 | 0 | 20,200,000 | 0 | 0.0% |
| Medical Marijuana | | 0 | 0 | 0 | 6,216,884 | 19,492 | 6,236,376 | 6,236,376 | n/a |
| Federal Stimulus Funds | | 130,682 | 0 | 0 | 0 | 0 | 0 | 0 | n/a |
| Total By Line Item | | 161,512,040 | 196,308,799 | 186,999,248 | 195,935,289 | 5,041,803 | 200,977,092 | 4,668,293 | 2.4% |
| General Fund | | 44,574,293 | 51,883,959 | 47,236,305 | 44,788,208 | 300,680 | 45,088,888 | (6,795,071) | (13.1%) |
| Federal Funds | | 99,160,673 | 123,057,440 | 118,438,137 | 118,623,094 | 234,086 | 118,857,180 | (4,200,260) | (3.4%) |
| Special Funds | | 17,777,074 | 21,367,400 | 21,324,806 | 32,523,987 | 4,507,037 | 37,031,024 | 15,663,624 | 73.3% |
| Total By Fund | | 161,512,040 | 196,308,799 | 186,999,248 | 195,935,289 | 5,041,803 | 200,977,092 | 4,668,293 | 2.4% |
| FTEs | | 354.00 | 365.00 | 364.00 | 376.00 | 1.00 | 377.00 | 12.00 | 3.3% |

Testimony
SB 2004 / SB 2064
Senate Appropriations Committee
Thursday, January 12, 2017
North Dakota Department of Health
2017 - 19 90% General Fund Request

| Section \ Description | Amount |
|--|---------------------------|
| Administrative Services | |
| Hold back 1% of July 1, 2016 increase | (66,980) |
| Indirect Costs - increase in Federal / Other funds | (281,559) |
| Reduce extra for UND PCO contract | (50,000) |
| Loan Repayment obligation - hold even | (40,160) |
| Total | <u>(438,699)</u> |
| Medical Services | |
| Hold back 1% of July 1, 2016 increase | (36,494) |
| Universal Vaccine | (2,976,853) |
| Funding shift - increase in Federal funds | (54,342) |
| Total | <u>(3,067,689)</u> |
| Health Resources | |
| Hold back 1% of July 1, 2016 increase | (30,186) |
| Reduction in Travel | (79,853) |
| Funding shift - available Federal / Special funds | (59,879) |
| Total | <u>(169,918)</u> |
| Community Health | |
| Hold back 1% of July 1, 2016 increase | (30,066) |
| Colorectal Cancer - funding shift - federal funds available | (145,385) |
| Prenatal Alcohol Syndrome grant to UND | (38,000) |
| Miscellaneous operating (Injury - 11,400; CSHS - 25,000 media) | (36,400) |
| Total | <u>(249,851)</u> |
| Environmental Health | |
| Hold back 1% of July 1, 2016 increase | (117,554) |
| Miscellaneous operating | (71,647) |
| Funding shift for FTE in AQ - available Special funds | (31,044) |
| Remove 1.0 FTE in WQ - salaries and operating | (153,819) |
| Funding Shift for FTE in MF (SRF) | (202,323) |
| Funding Shift for FTE in WM (Radiation Fees) | (231,423) |
| Total | <u>(807,810)</u> |
| Emergency Preparedness and Response | |
| Hold back 1% of July 1, 2016 increase | (15,612) |
| Rural EMS Providers | (157,180) |
| Stroke grants / professional fees | (172,116) |
| Cardiac System of Care | (50,000) |
| Trauma | (8,850) |
| Community Paramedic / Legal/ Medical Direction - 5% each | (17,250) |
| Total | <u>(421,008)</u> |
| Overall reduction | <u><u>(5,154,975)</u></u> |

Testimony
 SB 2004 / SB 2064
 Senate Appropriations Committee
 Thursday, January 12, 2017
 North Dakota Department of Health
 2017 -19 Executive Budget

| Description | 2015-17 | 2017-19 | Funding Shift LPHU | | | | Funding Shift - | | Funding Shift - | | Subtotal Budget Changes |
|------------------------------------|-------------|-------------|--------------------|----------------|------------------------|--------------------------|-----------------|------------------------|-----------------|-------------|-------------------------|
| | Base Level | Requested | State Aid | LPHU - Tobacco | Funding Shift - Cancer | Funding Shift - Stroke & | Physician Loan | Behavioral Health Loan | | | |
| | Budget | Budget | Fund # | Prevention # | Programs # | Cardiac # | Repymt # | Repymt # | | | |
| Salaries & Wages | 62,805,918 | 63,480,520 | | | | | | | | | 0 |
| Operating Expenses | 40,598,335 | 38,494,458 | | | | | | | | | 0 |
| Capital Assets | 2,895,232 | 3,446,740 | | | | | | | | | 0 |
| Capital Assets Carryover (F&L IMS) | 0 | 0 | | | | | | | | | 0 |
| Grants | 57,096,760 | 55,697,490 | | | | | | | | | 0 |
| Tobacco Prevention & Control | 6,910,177 | 5,680,040 | | | | | | | | | 0 |
| WIC Food Payments | 20,200,000 | 20,200,000 | | | | | | | | | 0 |
| Medical Marijuana | 0 | 0 | | | | | | | | | 0 |
| Total | 190,506,422 | 186,999,248 | | 0 | 3,000,000 | 0 | 0 | 0 | 0 | 0 | 3,000,000 |
| General Fund | 48,535,568 | 47,236,305 | (1,000,000) | | | (744,804) | (756,418) | (480,000) | (243,640) | (3,224,862) | 0 |
| Federal Funds | 121,111,454 | 118,438,137 | 1,000,000 | 3,000,000 | | 744,804 | 756,418 | 480,000 | 243,640 | 6,224,862 | 0 |
| Special Funds | 20,859,400 | 21,324,806 | 0 | 3,000,000 | | 0 | 0 | 0 | 0 | 3,000,000 | 0 |
| Total | 190,506,422 | 186,999,248 | | | | | | | | | |

| Description | Subtotal Budget Changes | Funding Shift - EPA Lawsuit ## | Medical Marijuana | Executive Compensation Package | Reduce EMS Rural Asst | Reduce EMS Training Grants | Total Changes to Requested Budget | 2017-19 Executive Recomm. | Total Changes to Base Level Budget |
|----------------------------------|----------------------------|--------------------------------------|----------------------|--------------------------------------|--------------------------|----------------------------------|--|---------------------------------|--|
| | | | | | | | | | |
| Salaries & Wages | 0 | | | 1,331,369 | | | 1,331,369 | 64,811,889 | 2,005,971 |
| Operating Expenses | 0 | | | | | | 0 | 38,494,458 | (2,103,877) |
| Capital Assets | 0 | | | | | | 0 | 3,446,740 | 551,508 |
| Capital Assets Carryover F&L IMS | 0 | | | | | | 0 | 0 | 0 |
| Grants | 3,000,000 | | | | | | 0 | 58,135,670 | 1,038,910 |
| Tobacco Prevention & Control | 0 | | | 17,721 | | | 17,721 | 5,697,761 | (1,212,416) |
| WIC Food Payments | 0 | | | | | | 0 | 20,200,000 | 0 |
| Medical Marijuana | 0 | | | | | | 7,057,644 | 7,057,644 | 7,057,644 |
| Total | 3,000,000 | 0 | | 1,406,734 | (467,820) | (94,000) | 10,844,914 | 197,844,162 | 7,337,740 |
| General Fund | (3,224,862) | (500,000) | | 727,428 | (467,820) | (94,000) | (1,559,254) | 45,677,051 | (2,858,517) |
| Federal Funds | 0 | | | 552,543 | | | 552,543 | 118,990,680 | (2,120,774) |
| Special Funds | 6,224,862 | 500,000 | | 126,763 | | | 11,851,625 | 33,176,431 | 12,317,031 |
| Total | 3,000,000 | 0 | | 1,406,734 | (467,820) | (94,000) | 10,844,914 | 197,844,162 | 7,337,740 |

FTE 0.0 17.0 0.0 0.0 0.0 17.0 381.0 16.0

- Funding shift to Tobacco Prevention and Control Trust Fund
 ## - Funding shift to the State Investment and Improvement Fund

Recommendation Comparison Summary
301 Department of Health
Biennium 2017-2019

| Description | Executive Budget Recommendation | Remove Compensation ^{/1} | 5% Health Insurance ^{/2} | Remove FTE ^{/3} | Adjustments ^{/4} | Change +/- | Revised Executive Recommendation |
|--------------------------------|---------------------------------|-----------------------------------|-----------------------------------|--------------------------|---------------------------|--------------------|----------------------------------|
| By Line Item | | | | | | | |
| Salaries and Wages | 64,811,889 | (256,741) | (561,451) | (139,041) | | (957,233) | 63,854,656 |
| Operating Expenses | 38,494,458 | | | | (100,000) | (100,000) | 38,394,458 |
| Capital Assets | 3,446,740 | | | | | 0 | 3,446,740 |
| Grants | 58,135,670 | | | | | 0 | 58,135,670 |
| Tobacco Prevention and Control | 5,697,761 | (3,353) | (7,527) | | | (10,880) | 5,686,881 |
| WIC Food Payments | 20,200,000 | | | | | 0 | 20,200,000 |
| Medical Marijuana | 7,057,644 | (8,990) | (19,492) | (524,278) | (288,000) | (840,760) | 6,216,884 |
| Total Line Items | 197,844,162 | (269,084) | (588,470) | (663,319) | (388,000) | (1,908,873) | 195,935,289 |
| By Funding Source | | | | | | | |
| General Funds | 45,677,050 | (139,144) | (300,680) | (261,019) | (188,000) | (888,843) | 44,788,207 |
| Federal Funds | 118,990,680 | (105,692) | (234,086) | (27,808) | | (367,586) | 118,623,094 |
| Special Funds | 33,176,432 | (24,248) | (53,704) | (374,492) | (200,000) | (652,444) | 32,523,988 |
| Total Funding Sources | 197,844,162 | (269,084) | (588,470) | (663,319) | (388,000) | (1,908,873) | 195,935,289 |
| Total FTE | 381.00 | | | (5.00) | | (5.00) | 376.00 |

/1 The 0% and 1% increase for state employee salaries has been removed.

/2 Employees will be required to pay for 5% of their health insurance premium.

/3 Removes 5.00 additional FTE.

/4 Reduces the general fund appropriation of the executive budget recommendation by 1%.

Crossover Report

February 22, 2017

Administration

Passed

SB 2004 Department of Health Budget
HB 1024 Deficiency Bill (Environmental Health \$250,000 legal)
HB 1088 Data breach and remediation costs
HB 1108 Availability of records involving security and cyber attacks
HB 1292 Certificate of fetal loss
HB 1294 Final disposition amended
HB 1338 Indigent burial
SB 2174 Borrowing for emergencies

Failed

HB 1319 Birth records of adopted released
SB 2043 Definition of Marriage
SB 2064 Department of Health Budget
SB 2339 Procurement of research services

Loan Repayments

Passed

HB 1035 Dental loan repayment program, breach penalty consistent with others
SB 2034 Nursing loan repayment program
SB 2162 Dental loan repayment amended

Marijuana

Passed

HB 1156 Workers Comp coverage for medical marijuana; definition
HB 1240 Industrial Hemp oversight and fees
HB 1341 Changes penalties for controlled substances near schools
SB 2029 Agriculture laws regarding industrial hemp (less than .3% THC)
SB 2149 Reduction in penalties for sale
SB 2154 Measure 5 delay
SB 2344 Measure 5 fix

Failed

HB 1340 Marijuana ingesting < 1 ounce legal

Government

Passed

HB 1029 Requirements for state agencies to apply for federal grants
HB 1054 Carryover appropriations
HB 1090 OMB housekeeping bill
HB 1162 Competition between government and private industry; hoghoused to study

HB 1173 Powers of LAFRC; amended from 10% reduction to "may recommend" reduction

HB 1189 Increase bidding thresholds

HB 1200 Space rental

HB 1303 Filling of vacancies

HB 1314 Limited liability for use of AEDs

HB 1345 Open meeting and records laws

SB 2050 Interoperability executive committee

SB 2052 Telehealth coverage by insurers

SB 2053 PERS clean up bill

SB 2120 Public contracts

SB 2142 Construction bids

SB 2146 Public improvements

Failed

HB 1168 Employees at legislative hearings

HB 1290

HB 1261 Workers Comp coverage for volunteers' mental health

SB 2237 Central management of state assigned vehicles

SB 2341 Mud flaps on certain motor vehicles

Firearms

HB 1169

HB 1190

HB 1273

HB 1278

HB 1279

HB 1310

HB 1391

HB 1402

SB 2125

SB 2139

Employees

Passed

HB 1153 Limits Governor's Office bonuses to 10% or \$5,000 whichever is less

HB 1246 Employee claims of discrimination to district court

HB 1405 Committee on status of women

HB 1407 Bid health insurance every 2 years

SB 2152 Confidentiality of job applicants

Failed

HB 1053 Retirement 1% + 1% start next biennium

HB 1164 Tax credit for child care expenses

HB 1263 Minimum wage to \$9.25

HB 1307 State employee evaluations of agency upon resignation

HB 1386 Prohibition of discrimination on basis of sexual orientation

SB 2061 Legislative compensation

Environmental Health

Passed

HB 1151 The reporting of well pad or oil and gas production facility fluid spills.
HB 1160 Exempting plumbers from permit fee requirements for persons who service septic systems
HB 1336 Environmental audits – amended (hoghoused)
HB 1352 Towing of abandoned vehicles
HB 1409 Well water testing preceding subsurface mineral production and liability for damages to water supplies
SB 2110 Hazardous chemical preparedness and response
SB 2156 Disposal of radioactive waste
SB 2178 Infrastructure revolving loan funds
SB 2313 Wind energy
SB 2327 Relating to the creation of the department of environmental quality

Failed

HB 1271 Continuing education water well contractors (withdrawn)
HB 1331 Septic inspections standardization
HB 1371 Regulation and licensing of medical imaging and radiation therapy
HB 1416 Definition of cleaning out and repairing drains
SB 2179 Eligible uses for infrastructure revolving loan funds
SB 2331 Protection of groundwater

Tobacco

Passed

SB 2024 Tobacco Center Budget
SB 2328 Sales to minors – penalties
SB 2088 Addiction counseling to include tobacco and nicotine

Failed

HB 1312 Smoking < age 19
SB 2084 Tobacco Center Budget

Community Health

Passed

HB 1085 Brain injury advisory council SHO member
HB 1187 PKU for males to age 26; 31,000 fiscal note; no appropriation **
HB 1210 Cardiac Ready Community Grant Program
HB 1241 Minimum age for ATVs reduced from 16 to 10
HB 1318 REA study
HB 1323 Child restraint to 9 amended
HB 1334 Sexual offenders near schools
HB 1430 Distracted driving
HB 1434 Autism health insurance coverage
SB 2038 Task force on behavioral health
SB 2115 Autism spectrum disorder task force
SB 2191 SANE grant

SB 2251 Newborn substance exposure
SB 2309 Domestic violence court pilot project
SB 2325 Coordinating early intervention services; amended and passed
SB 2342 Task force on sexual abuse of children; SHO member

Failed

HB 1287 Graduated Driver's License (GDL)
HB 1256 Dental therapists – midlevel practitioner regulation
SB 2138 Navigation for health insurance benefits
SB 2232 Commitment of sexually dangerous individuals (withdrawn)
SB 2233 Sex offender education program
SB 2241 Autism spectrum disorder database (TS oppose)

Miscellaneous

Passed

HB 1105 Add DoH vehicles to definition of emergency vehicles
HB 1115 Moratorium on basic care amended significantly
HB 1127 Pasteurized milk
HB 1131 Federal meat inspection
HB 1215 Definition of basic care
HB 1433 Cottage food industry and pasteurized milk; pasteurized milk amended out
SB 2216 Bodily fluids penalty
SB 2231 Prior authorization of ambulance
SB 2099 Remove state purchase of vaccine for LPH (testify support)
SB 2235 Interstate medical licensure compact
SB 2256 Naturopaths prescribing; hoghoused to midwifery study
SB 2264 Notification of next of kin reporting, amended
?SB 2291 Powers of guardian for medical decisions
SB 2320 Syringe exchange
SB 2312 Emergency Services Professionals – supervision in hospitals

Failed

SB 2306 Ejection from mobile home parks
SB 2184 Phlebotomists registry and notification (testify opposing)
SB 2337 Cultural competency training for legislators

Senate Bill 2344 Summary (Engrossed)

Key:

CC- Compassion Center - term used in law as generic term for growers and dispensaries
DC - Designated Caregiver - buys on behalf of up to 5 patients including themselves
QP - Qualified Patient - registered with DoH with certification from physician that they are under their care, have a qualifying condition and may benefit from marijuana use

Clarifications/Corrections

- Define terms
- Remove or clarify confusing/conflicting language
- Remove Delaware rules and all references to Delaware rules
- Indicate certain areas that can be in rulemaking rather than in law
- Align CC application review criteria with application requirements
- Add decriminalization language - states that a person engaged in or assisting in the medical use of marijuana is exempt from criminal laws of this state for possession, delivery or manufacture of marijuana if they have a registration card (Model law and other state laws contain this language)

Safety

- Allow patients to purchase 2.5 oz. per month instead of 3 oz. every 14 days
- Limit forms of use for children to oils and require pediatrician sign off
- Limit THC levels for children at < 6%
- Require seed to sale bar coding of every plant (industry standard)
- Forbid the sale of edibles by a dispensary and the smoking or vaping of marijuana
- Individuals < age 21 (Senate version age 19) cannot purchase or be in possession

Efficiency/Cost Effectiveness

- Remove non-profit status requirement (Senate version allows for profit or non profit)
- Remove ability for patients and designated caregivers (who may have up to 5 patients) to grow their own (significantly reduces regulation and enforcement costs for state and for local law enforcement; safety issue to avoid diversion also)
- Establish fees for application and registration and add fines; require that fees cover all DoH costs by 2019-21 biennium
- Remove deadlines for processing QP, DC and CC applications from law and place in rule
- Limit number of compassion centers to 4 grow only and 8 dispensaries; allow DoH to add dispensaries if access is not sufficient; also adds language requiring dispensaries to describe their distribution system
- Require CCs (growers and dispensaries) to have a local permit prior to DoH reviewing their application
- Require bond to ensure adequate clean-up in the event CC goes out of business
- (Senate version) Allows CC employees and volunteers to be non-residents of ND